

In re Patent Application of:

MAY ET AL.

Serial No. **10/790,479**

Filing Date: **MARCH 1, 2004**

REMARKS

The Examiner is thanked for the thorough examination of the present application, and for the courtesies extended to the undersigned attorney during the telephonic interview of June 11, 2008. During the interview, the rejection of the claims based upon U.S. Patent No. 6,181,956 to Koshan and U.S. Pat. Pub. No. 2004/0186728 to Kuboyama et al. was discussed. Moreover, Applicant's Supplemental Rule 131 Declaration (the "Supplemental Declaration") submitted May 16, 2008 was also discussed, along with the Examiner's response thereto set forth in the Advisory Action mailed June 5, 2008.

In particular, the undersigned attorney argued that the standard of review applied in considering the Supplemental Declaration was in error, and that the Supplemental Declaration established possession of the invention prior to the effective date of the Kuboyama et al. reference. The Examiner agreed that this was indeed the case, and that Kuboyama et al. therefore does not qualify as prior art to the present invention, so the current rejection of the claims would be withdrawn upon the filing of this Response and accompanying RCE.

Accordingly, it is respectfully submitted that all of the claims are patentable. A notice of allowance is therefore respectfully requested in due course. Should any minor informalities remain to be addressed, the Examiner is encouraged to contact the undersigned attorney at the telephone number listed below.

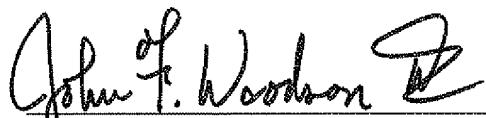
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Respectfully submitted,



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